

NOTICE OF INTENT

Department of Environmental Quality
Office of Environmental Assessment
Environmental Planning Division

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Air Quality regulations, LAC 33:III.3003 (Log #AQ210*).

This proposed rule is identical to federal regulations found in 64 FR 37196, July 9, 1999; 64 FR 38240, July 15, 1999; 64 FR 53027, September 30, 1999; 65 FR 13243, March 13, 2000; and 65 FR 18908, April 10, 2000, which are applicable in Louisiana. For more information regarding the federal requirement, contact the Regulation Development Section at (225) 765-0399 or Box 82178, Baton Rouge, LA 70884-2178. No fiscal or economic impact will result from the proposed rule; therefore, the rule will be promulgated in accordance with R.S. 49:953(F)(3) and (4).

This proposed rule incorporates by reference into LAC 33:III.Chapter 30, Federal Register citations 64 FR 37196, July 9, 1999; 64 FR 38240, July 15, 1999; 64 FR 53027, September 30, 1999; 65 FR 13243, March 13, 2000; and 65 FR 18908, April 10, 2000. In order that Louisiana can maintain delegation authority from the U.S. Environmental Protection Agency (EPA) for 40 CFR Part 60 Standards of Performance for New Stationary Sources (NSPS), new federal regulations must be adopted into the LAC. In addition, EPA's 105 Grant Objective requires the department to incorporate by reference new and revised NSPS regulations. This rulemaking satisfies that requirement. The basis and rationale for the proposed rule are to mirror the federal regulations in order to maintain authorization for the NSPS program in Louisiana.

This proposed rule meets an exception listed in R.S. 30:2019 (D) (3) and R.S.49:953 (G) (3); therefore, no report regarding environmental/health benefits and social/economic costs is required. This proposed rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

A public hearing will be held on October 25, 2000, at 1:30 p.m. in the Maynard Ketcham Building, Room 326, 7290 Bluebonnet Boulevard, Baton Rouge, LA 70810. Interested persons are invited to attend and submit oral comments on the proposed amendments. Should individuals with a disability need an accommodation in order to participate, contact Patsy Deaville at the address given below or at (225) 765-0399.

All interested persons are invited to submit written comments on the proposed regulations. Persons commenting should reference this proposed regulation by AQ210*. Such comments must be received no later than October 25, 2000, at 4:30 p.m., and should be sent to Patsy Deaville, Regulation Development Section, Box 82178, Baton Rouge, LA 70884-2178 or to FAX (225) 765-5095. The comment period for this rule ends on the same date as the public hearing. Copies of this proposed regulation can be purchased at the above referenced address. Contact the Regulation

Development Section at (225) 765-0399 for pricing information. Check or money order is required in advance for each copy of AQ210*.

This proposed regulation is available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 7290 Bluebonnet Boulevard, Fourth Floor, Baton Rouge, LA 70810; 804 Thirty-first Street, Monroe, LA 71203; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 3519 Patrick Street, Lake Charles, LA 70605; 3501 Chateau Boulevard, West Wing, Kenner, LA 70065; 100 Asma Boulevard, Suite 151, Lafayette, LA 70508; 104 Lococo Drive, Raceland, LA 70394 or on the Internet at <http://www.deq.state.la.us/planning/regs/index.htm>.

James H. Brent, Ph.D.
Assistant Secretary

Title 33 ENVIRONMENTAL QUALITY

Part III. Air

Chapter 30. Standards of Performance for New Stationary Sources (NSPS)

Subchapter A. Incorporation by Reference (IBR)

§3003. IBR 40 Code of Federal Regulations (CFR) Part 60

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[See Prior Text in A – Table 1.A]

~~B.—Reserved.~~ Final regulations published in the Federal Register on the following dates: July 9, 1999, July 15, 1999, September 30, 1999, March 13, 2000, and April 10, 2000, and specified below in Table 2 are hereby incorporated by reference as they apply to the State of Louisiana.

<u>Table 2. 40 CFR Part 60</u>			
<u>40 CFR Part 60 Subpart/Appendix</u>	<u>Subpart Heading/Appendix</u>	<u>Federal Register Citation</u>	<u>Date Promulgated</u>
<u>Appendix A</u>	<u>Test Methods: Three New Methods for Velocity and Volumetric Flow Rate Determination in Stacks or Ducts</u>	<u>64 FR 37196</u>	<u>July 9, 1999</u>
<u>Appendix A</u>	<u>Test Methods: Three New Methods for Velocity and Volumetric Flow Rate Determination in Stacks or Ducts</u>	<u>64 FR 38240</u>	<u>July 15, 1999</u>
<u>Appendix A</u>	<u>Test Methods: Method 5I— Determination of Low Level Particulate Matter Emissions From Stationary Sources</u>	<u>64 FR 53027</u>	<u>September 30, 1999</u>
<u>Subpart Db</u>	<u>Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units</u>	<u>65 FR 13243</u>	<u>March 13, 2000</u>
<u>Subpart WWW</u>	<u>Standards of Performance for New Stationary Sources and Guidelines for Control of Existing Sources: Municipal Solid Waste Landfills</u>	<u>65 FR 18908</u>	<u>April 10, 2000</u>

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[See Prior Text in C - D]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 22:1212 (December 1996), amended LR 23:1681 (December 1997), LR 24:1287 (July 1998), LR 24:2238 (December 1998), LR 25:1239 (July 1999), LR 25:1797 (October 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:1607 (August 2000), LR 26: